

Order

Michigan Supreme Court
Lansing, Michigan

September 10, 2007

Clifford W. Taylor,
Chief Justice

132247

Michael F. Cavanagh
Elizabeth A. Weaver
Marilyn Kelly
Maura D. Corrigan
Robert P. Young, Jr.
Stephen J. Markman,
Justices

SHARON ROBERTSON, personal
representative of the Estate of GORDON
ROBERTSON, Deceased,
Plaintiff-Appellant,

v

SC: 132247
COA: 269752
Bay CC: 05-003647-NH

S.M. ASCHERL, M.D., BAY
RADIOLOGICAL CONSULTANTS, P.C.,
and BAY MEDICAL CENTER, a/k/a BAY
REGIONAL MEDICAL CENTER,
Defendants-Appellees.

On order of the Court, the application for leave to appeal the August 29, 2006 order of the Court of Appeals is considered and, pursuant to MCR 7.302(G)(1), in lieu of granting leave to appeal, we REVERSE the order of the Court of Appeals, which ordered dismissal of the complaint *with* prejudice, and we REMAND this case to the Bay Circuit Court for entry of an order dismissing the complaint *without* prejudice. See *Kirkaldy v Rim*, 478 Mich 581 (2007). In all other respects, leave to appeal is DENIED, because we are not persuaded that the remaining questions presented should be reviewed by this Court.



d0830

I, Corbin R. Davis, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

September 10, 2007

Corbin R. Davis

Clerk